

DOCUMENT #: EO-94-013-MM

TITLE:

Responses to Comments: Policy for Acknowledging and Preparing a Response to Comments for Department of Toxic Substances Control California Environmental Quality Act (CEQA) documents.

AFFECTED
PARTIES:

Hazardous Waste Management Program
Site Mitigation Program
Office of Pollution Prevention & Technology Development

AUTHORITY
CITED:

Sections 21083 and 21087, Public Resources Code;
Reference: Sections 21000, 21082, Public Resources Code.

PURPOSE:

The purpose of this memorandum is to establish a Department of Toxic Substances Control (Department) policy regarding responses to public comments received on CEQA documents. Comments received during the public review period for Department projects will be addressed by the preparation of a formal response to comments. Comments on Department CEQA documents shall be addressed under a separate heading within the Response to Comments document prepared for the project.

BACKGROUND:

Current Department policy and CEQA Guidelines require a 30 day public comment period for CEQA documents. This memorandum sets forth minimum standards for the preparation of a Response to Comments document for all projects which require CEQA documents and are circulated for public comment.

DEPARTMENT CRITERIA FOR RESPONSE TO COMMENTS

Department staff shall acknowledge, in writing, the receipt of all comments directly to the commenter at the close of the public comment period. Staff should use the standard format for this acknowledgment (see attached for a suggested format). In addition, a formal Response to Comments document will be prepared at least 10 days prior to certifying an environmental impact report or negative declaration and made available in the information repository (Public Resources Code section 21092.5). If a fact sheet is prepared at the time the final decision is announced, the fact sheet shall

indicate that a copy of the response to comments is available upon request or can be viewed in the public information repository.

Comments should be combined and summarized by category and responses prepared to significant categories of comments. Responses to comments or categories of comments shall include the reason comments or suggestions were accepted, rejected or accepted in a modified fashion. As indicated in the Public Participation Policies and Procedures Manual, Sections 600-40-9 and 700-80-3, program staff should ensure that:

- A draft copy of the Response to Comments is circulated to the appropriate Public Participation Specialist for review and comment prior to release;
- A final copy of the Response to Comments is mailed to persons who provided comments;
- A final copy of the Response to Comments is sent to persons on the mailing list; and,
- A final copy of the Response to Comments is sent to Information Repositories.

If the Response to Comments document exceeds fifty (50) pages, the document shall only be sent to information repositories and persons who specifically requested it, unless the Public Participation Plan provides otherwise.

IMPLEMENTATION:

All affected Department programs shall implement the procedures contained herein.

Additional assistance concerning this memorandum may be obtained by contacting the Planning and Environmental Analysis Section at 322-8162 or CALNET 8-492-8162.

CONTACT:

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Original Signed By:
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Director
November 18, 1994
[..\Original PDF Copies\EO-94-013-MM.PDF](#)

Date

William F. Soo Hoo, Director

ATTACHMENT A

Dear _____

We have received your comments concerning the site name/facility name. We are reviewing all the comments received on the project and will prepare a Response to Comments document. You will automatically receive a copy of the Response to Comments document at or near the time a final decision is made unless the document exceeds 50 pages. Documents in excess of 50 pages will be placed in Public Repositories and will be provided to individuals who specifically request copies. Thank you for taking the opportunity to comment on this project

Should you have any questions regarding this site or wish to receive a Response to Comments document regardless of size please contact.